REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and for courtesies extended during the Examiner Interview conducted on August 22, 2007.

Disposition of Claims

Claims 1-5 and 11-15 are currently pending in this application. Claims 1 and 11 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 11.

Claim Amendments

Independent claims 1 and 11 have been amended to clarify the present invention as recited. Particularly, the claims have been amended to clarify that the first integrated software is authenticated by the downloaded software using a second certificate.

Applicants assert that no new subject matter is added by way of these amendments, as the amendments are made solely to clarify the language of the independent claims per the Examiner's suggestions during the Interview conducted on August 22, 2007. Further, Applicants assert that no new search or consideration is required by the amended claims.

Rejections under 35 U.S.C. § 112

Claims 1-15[1] stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Particularly, the Examiner asserts that the limitation "authenticating, by a second certificate and during execution of said downloaded software, said first integrated software using a authenticate software module associated with said downloaded software" is unclear. As

discussed with the Examiner during the interview of August 22, 2007, the independent claims have been amended to clarify that the first integrated software is the software that is authenticated in the second limitation of the independent claims. Thus, the downloaded software performs the authentication on the first integrated software using a second certificate. Therefore, Applicants assert that independent claims 1 and 11 are now clear with respect to which piece of software performs the authentication. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1-5 and 11-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,675,201 ("Parkkinen"). This rejection is respectfully traversed.

As discussed with the Examiner during the Examiner Interview of August 22, 2007, the claimed invention requires two distinct and separate pieces of software, i.e., the downloaded software and the first integrated software, both of which authenticate each other. Said another way, a mutual authentication is performed in the claimed invention, where (i) the downloaded software is downloaded and authenticated by the first integrated software already present in the terminal; and (ii) the first integrated software is then authenticated using the downloaded software, while the downloaded software is executing. Thus, both distinct pieces of software are mutually authenticated, without any need for additional software or hardware to authenticate both software entities.

Parkkinen is directed toward a method for downloading software from a source computer to a server, and then from the server to a terminal (*see* Parkkinen, Abstract). The downloaded

---

[1] Examiner has included claims 1-15 in the rejection. Applicants note that claims 6-10 have been canceled in a

software is authenticated by attaching a certificate with a first electronic signature to the software and then comparing a second electronic signature generated after the software is downloaded to the terminal to the original first electronic signature (*see* Parkkinen, Abstract and Figure 3). Said another way, Parkkinen discloses that two electronic signature values are compared to authenticate *one piece of software*.

As admitted by the Examiner during the Examiner Interview of August 22, 2007, Parkkinen fails to teach or suggest the mutual authentication recited in the independent claims of the present invention. Specifically, Parkkinen fails to teach or suggest a two distinct pieces of software that authenticate *each other*. Rather, as described above, Parkkinen only authenticates a single piece of software. Further, even assuming, *arguendo*, that Parkkinen performs authenticate of two pieces of software, the software pieces are not mutually authenticated using modules/certificate associated with each other, as required by the independent claims.

In view of the above, it is clear that Parkkinen fails to render the independent claims of the present invention obvious. Thus, independent claims 1 and 11 are patentable over Parkkinen. Dependent claims 2-5 and 12-15 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.
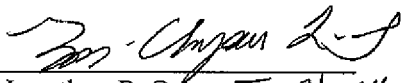
---

previous reply; therefore, Applicants traverse the rejection under the assumption that the Examiner meant to include claims 1-5 and 11-15 in the rejection.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/119001).

Dated: August 31, 2007   Respectfully submitted,

By _____
for Jonathan P. Osha   T. Chyau Liang
Registration No.: 33,986 48,885
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant